

DOC #:

DATE FILED: 7/22/08

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**ARTURO REYES, BRYON GOINS and
ARMANDO DE LA FUENTE PERALTA, on behalf
of themselves and all others similarly situated,**

08 CV 02494 HB**Plaintiffs,****-against-**

**BUDDHA-BAR NYC; LITTLE REST TWELVE,
INC.; NINA ZAJIC; DAVID KAY; and ABDUL
RAHMAN EL JASTIMI a/k/a PETER JASTIMI,**

**STIPULATION AND
ORDER WITHDRAWING
MOTION TO DISMISS
AND STAYING
PROCEEDINGS**

Defendants.

WHEREAS, the attorneys for the parties to the above-referenced action have agreed to a brief stay of proceedings, subject to the Court's approval, in order to permit the opportunity to meet and confer regarding the issues and the allegations and determine whether a settlement can be achieved:

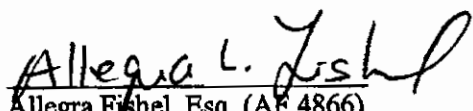
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiffs Arturo Reyes, Bryon Goins and Armando de la Fuente Peralta (collectively "Plaintiffs") and Defendants Little Rest Twelve, Inc. d/b/a Buddha Bar NYC, Nina Zajic, David Kay and Abdul Rahman El Jastimi a/k/a Peter Jastimi (collectively "Defendants"), that Defendants hereby voluntarily withdraw their Motion to Dismiss without prejudice to renewal;

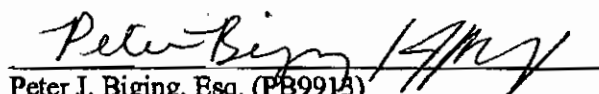
IT IS FURTHER STIPULATED AND AGREED that the time within which Defendants may file a responsive pleading or re-file their Motion to Dismiss will be stayed for thirty (30) days from the date of this Stipulation and Order (i.e., through August 18th) while the parties meet and confer regarding the possibility of reaching a settlement of the claims;

IT IS FURTHER STIPULATED AND AGREED that should Defendants re-file their Motion to Dismiss, the Plaintiffs will file an Amended Complaint, and that Plaintiffs will have until September 5th to do so (but may file said Amended Complaint at any time prior to that date); and

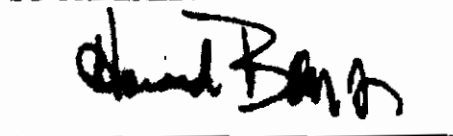
IT IS FURTHER STIPULATED AND AGREED that this document may be signed in counterparts, and facsimile signatures shall be deemed originals for purposes of this stipulation.

Dated: New York, New York
July 17, 2008


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SO ORDERED:


Hon. Harold Baer, U.S.D.J., S.D.N.Y.

July 22, 2008